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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,145	05/24/2001	Louis Dominic Oliveira	010080	2679
23696 7590 07/24/2007 QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			EXAMINER GARY, ERIKA A	
			ART UNIT	PAPER NUMBER
			2617	
			NOTIFICATION DATE	DELIVERY MODE
			07/24/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

Application No.

09/865,145

Applicant(s)

OLIVEIRA, LOUIS DOMINIC

Examiner

Erika A. Gary

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 12-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 12-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claim 16 recites the limitation "the second channel" in line 2. There is insufficient antecedent basis for this limitation in the claim.
3. Claim 17 recites the limitation "the second channel" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-9 and 12-21 are rejected under 35 U.S.C. 102(e) as being anticipated by prior art made of record in the Office Action mailed 11/1/05, Adams, US Patent Number 6,594,366 (hereinafter Adams).

Regarding claims 1 and 12, Adams discloses a method for processing received audio signals in a device, the method comprising: determining a type of an audio output device coupled to an I/O jack; determining a type of the received audio signals; and

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providing a control output to disable or enable a first channel in a receive audio processing path based on the type of the audio output device and the type of received audio signals [abstract; col. 1: lines 43-67; col. 2: lines 48-65; col. 3: line 46 – col. 4: line 25]. Further regarding claim 1, it is inherent that the device comprises an audio mux, the audio mux receiving a vocoder input from a vocoder and an audio decoder input from an audio decoder.

Regarding claim 2, Adams discloses the control output is coupled to a plurality of components in a receive audio processing path of the codec [col. 1: lines 43-67; col. 2: lines 48-65; fig. 3].

Regarding claim 3, Adams discloses the plurality of components are in a right channel of the receive audio processing path [fig. 3].

Regarding claim 4, Adams discloses the plurality of components are in a left channel of the receive audio processing path [fig. 3].

Regarding claims 5 and 7, Adams discloses the control output disables at least one of the plurality of components to reduce power consumption in the receive audio processing path of the codec [col. 2: lines 48-65].

Regarding claims 6 and 9, it is inherent that the device includes a receive gain, receive filter, a digital to analog converter, a left/right selector, and a headset amp.

Regarding claim 8, Adams discloses the control output disables at least one of a plurality of components in a receive audio processing path of the codec when the audio mux input received by the stereo/mono control unit comprises voice signals [col. 2: lines 48-65].

Regarding claim 13, Adams discloses disabling the first channel in the receive audio processing path and enabling a second channel in the receive audio processing path when the type of the received audio signals is mono signals; and enabling the first channel in the receive audio processing path and enabling the second channel in the receive audio processing path when the type of the received audio signals is stereo signals, wherein the disabling of the first channel is performed by a stereo/mono control unit [col. 3: line 46 – col. 4: line 25].

Regarding claim 14, Adams discloses the disabling of the first channel is performed by the control output of the stereo/mono control unit disabling at least one of a plurality of components in the first channel [col. 3: line 46 – col. 4: line 25].

Regarding claim 15, it is inherent that the device includes a receive gain, receive filter, a digital to analog converter, a left/right selector, and a headset amp.

Regarding claim 16, Adams discloses the first channel is a right channel in the receive audio processing path and wherein the second channel is a left channel in the receive audio processing path [fig. 3].

Regarding claim 17, Adams discloses the first channel is a left channel in the receive audio processing path and wherein the second channel is a right channel in the receive audio processing path [fig. 3].

Regarding claim 18, it is inherent that the device comprises a vocoder and an audio decoder, wherein the vocoder provides voice signals to an audio mux, and wherein the audio decoder provides music signals to the audio mux.

Regarding claim 19, it is inherent that the stereo/mono control unit receives the audio signals from the audio mux.

Regarding claim 20, Adams discloses determining whether a stereo output component is coupled to the device [col. 1: lines 43-67; col. 2: lines 48-65].

Regarding claim 21, Adams discloses disabling the first channel when the stereo output component is not coupled to the device [col. 1: lines 43-67; col. 2: lines 48-65; col. 3: line 46 – col. 4: line 25]

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-9 and 12-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EAG  
July 9, 2007

  
ERIKA A. GARY  
PRIMARY EXAMINER